

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. CR01-174 TSZ

Plaintiff,

PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

v.

CEMONIKE TAYLOR,

Defendant.

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on December 14, 2005. The United States was represented by Ron Friedman. The defendant was represented by Peter Avenia. The proceedings were recorded on disk.

CONVICTION AND SENTENCE

Defendant had been convicted of Bank Larceny on or about February 20, 2001. The Hon. Thomas S. Zilly of this court sentenced Defendant to five years probation.

The conditions of supervised release included requirements that defendant comply with the standard thirteen conditions.

DEFENDANT'S ADMISSION

USPO Jennifer Tien alleged in her report dated November 1, 2005 that Defendant violated the conditions of supervised release in four respects:

PROPOSED FINDINGS

PAGE -1-

- (1) Failing to make restitution payments from January 2005 to October 2005, in violation of the special condition that she make restitution payments not less than \$50.00 a month.
- (2) Failing to participate in outpatient mental health counseling, as instructed by her U.S. Probation officer, in violation of the special condition of mental health aftercare.
- (3) Failing to participate in outpatient mental health counseling, as instructed by her U.S. Probation officer, in violation of the special condition of mental health aftercare.
- (4) Opening new lines of credit on or before June 2005, in violation of the special condition that she not open any new lines of credit without prior approval of her U.S. Probation officer.

At an initial hearing, I advised the defendant of these charges and of her constitutional rights. At today's hearing the defendant admitted violations numbered one through four, waived any hearing as to whether it occurred, and, consented to having the matter set for a disposition hearing before the Hon. Thomas S. Zilly.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated the conditions of her supervised release as alleged and set the matter for a disposition hearing.

Defendant has been released pending a final determination by the court.

DATED this 15th day of December, 2005.



MONICA J. BENTON
United States Magistrate Judge

| | | | |
|-----|-------------------------|---|----------------------|
| cc: | Sentencing Judge | : | Hon. Thomas S. Zilly |
| | Assistant U.S. Attorney | : | Ron Friedman |
| | Defense Attorney | : | Peter Avenia |
| | U. S. Probation Officer | : | Jennifer Tien |